

REMARKS

Claims 1-27 are pending in the Application. Claims 1-12 and 16-27 are allowed. Claims 13-15 are rejected under 35 U.S.C. §112, second paragraph. Applicant addresses these rejections below.

I. REJECTIONS UNDER 35 U.S.C. §112, SECOND PARAGRAPH:

The Board of Patent Appeals and Interferences (hereinafter the "Board") has rejected claims 13-15 under 35 U.S.C. §112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Board's Decision, page 15. In particular, the Board rejected claim 13 for being unclear as to which creating step was being referred to in claim 7. *Id.* As indicated above, Applicant amended claim 13 to remove the aspect of referring to a creating step in claim 7.

Furthermore, the Board rejected claim 15 for reciting a step of transferring which was not recited in either claim 7, 13 or 14. Board's Decision, page 15. As indicated above, Applicant amended claim 15 to remove the aspect of referring to a transferring step in a previous claim. Further, Applicant amended claim 15 to replace the phrase "the second certificate" with the phrase "a second certificate" as the second certificate was not previously recited.

As a result of the above, Applicant respectfully asserts that claims 13-15 particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Consequently, claims 13-15 are allowable under 35 U.S.C. §112, second paragraph. M.P.E.P. §2171. Applicant respectfully requests the Examiner to withdraw the rejections of claims 13-15 under 35 U.S.C. §112, second paragraph.

Claims 13 and 15 were amended to correct typographical mistakes and were not amended to overcome prior art. Hence, no prosecution history estoppel arises from the amendments to claims 13-15. *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 62 U.S.P.Q.2d 1705, 1711-12 (2002); 56 U.S.P.Q.2d 1865, 1870 (Fed. Cir. 2000). Further, the amendments made to claims 13-15 were not made for a substantial reason related to patentability and therefore no prosecution history

estoppel arises from such amendments. *See Festo Corp.*, 62 U.S.P.Q.2d 1705 at 1707 (2002); *Warner-Jenkinson Co. v. Hilton Davis Chemical Co.*, 41 U.S.P.Q.2d 1865, 1873 (1997).

As a result of the foregoing, it is asserted by Applicant that claims 1-27 in the Application are in condition for allowance, and Applicant respectfully requests an allowance of such claims. Applicant respectfully requests that the Examiner call Applicant's attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining issues.

Respectfully submitted,

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